

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

TITANIDE VENTURES, LLC,

Plaintiff,

v.

**INTERNATIONAL BUSINESS
MACHINES CORPORATION,**

Defendant.

Case No.: 4:12-cv-00196-RC-ALM

JURY TRIAL DEMANDED

JOINT MOTION TO DISMISS ACTION

Plaintiff Titanide Ventures, LLC (“Titanide”) and Defendant International Business Machines Corporation (“IBM”) announce to the Court that they have settled their claims for relief asserted in this cause and thus move this Court to dismiss with prejudice all pending claims by Titanide against IBM, and dismiss without prejudice all counterclaims by IBM against Titanide. Each party is to bear its own costs and fees. A proposed order accompanies this Motion.

Dated: May 14, 2013

Respectfully Submitted,

/s/ James E. Marina

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**ATTORNEYS FOR PLAINTIFF
TITANIDE VENTURES, LLC**

CERTIFICATE OF SERVICE

I hereby certify that the attached Joint Motion To Dismiss Action is being served via the Court's CM/ECF system on May 14, 2013 on all counsel of record who consent to electronic service per Local Rule CV-5(a)(3).

/s/ Georgia Golfinopoulos
Georgia Golfinopoulos

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(i), the undersigned certifies that counsel has met and conferred regarding Joint Motion To Dismiss Action, and the Parties have agreed to the requested relief and to file the motion jointly.

/s/ Jennifer C. Lu
Jennifer C. Lu

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ORDER AND JUDGMENT OF DISMISSAL WITH PREJUDICE

Before the Court is a Joint Motion to Dismiss Action With Prejudice (the “Motion”) of Plaintiff Titanide Ventures, LLC (“Titanide”) and International Business Machines Corporation (“IBM”) (collectively the “Parties”). The Court having fully considered the Motion is of the opinion that the Motion should be and is hereby **GRANTED**.

It is therefore **ORDERED** that all claims by Titanide against IBM are hereby dismissed with prejudice, and all counterclaims by IBM against Titanide are hereby dismissed without prejudice. Each of the foregoing Parties shall bear its own costs and fees.

SO ORDERED.